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EXTRAORDINARY

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## MINISTRY OF LAW

*New Delhi, the 18th September, 1957*

The following Acts of Parliament received the assent of the President on the 17th September, 1957, and are hereby published for general information:—

### THE MINIMUM WAGES (AMENDMENT) ACT, 1957

No. 30 OF 1957

[17th September, 1957]

An Act further to amend the Minimum Wages Act, 1948.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

1. This Act may be called the Minimum Wages (Amendment) Short title, Act, 1957.

11 of 1948.

2. In section 2 of the Minimum Wages Act, 1948 (hereinafter Amendment referred to as the principal Act),— of section 2.

(i) in clause (b) (i), for the words "Central Government, by a railway administration", the words "Central Government or a railway administration" shall be substituted;

(ii) in clause (h), after the words "or of work done in such employment", the words "and includes house rent allowance" shall be inserted.

3. In section 3 of the principal Act,—

(a) in sub-section (1),—

Amendment of section 3.

(i) in clause (a), for the figures "1954" whenever they occur, the figures "1959" shall be substituted;

(ii) to clause (b), the following proviso shall be added, namely:—

“Provided that where for any reason the appropriate Government has not reviewed the minimum rates of wages fixed by it in respect of any scheduled employment within any interval of five years, nothing contained in this clause shall be deemed to prevent it from reviewing the minimum rates after the expiry of the said period of five years and revising them, if necessary, and until they are so revised the minimum rates in force immediately before the expiry of the said period of five years shall continue in force.”;

(b) in sub-section (3), for clause (b) excluding the proviso, the following shall be substituted, namely:—

“(b) minimum rates of wages may be fixed by any one or more of the following wage periods, namely:—

- (i) by the hour,
- (ii) by the day,
- (iii) by the month, or

(iv) by such other larger wage period as may be prescribed;

and where such rates are fixed by the day or by the month, the manner of calculating wages for a month or for a day, as the case may be, may be indicated:”.

Substitution  
of new sec-  
tion for sec-  
tion 5.

Procedure  
for fixing and  
revising  
minimum  
wages.

4. For section 5 of the principal Act, the following section shall be substituted, namely:—

“5. (1) In fixing minimum rates of wages in respect of any scheduled employment for the first time under this Act or in revising minimum rates of wages so fixed, the appropriate Government shall either—

(a) appoint as many committees and sub-committees as it considers necessary to hold enquiries and advise it in respect of such fixation or revision, as the case may be, or

(b) by notification in the Official Gazette, publish its proposals for the information of persons likely to be affected thereby and specify a date, not less than two months from the date of the notification, on which the proposals will be taken into consideration.

(2) After considering the advice of the committee or committees appointed under clause (a) of sub-section (1), or as the case may be, all representations received by it before the date specified in the notification under clause (b) of that sub-section, the appropriate Government shall, by notification in the Official Gazette, fix, or, as the case may be, revise the minimum rates of wages in respect of each scheduled employment, and unless such notification otherwise provides, it shall come into force on the expiry of three months from the date of its issue:

Provided that where the appropriate Government proposes to revise the minimum rates of wages by the mode specified in clause (b) of sub-section (1), the appropriate Government shall consult the Advisory Board also."

5. Section 6 of the principal Act shall be omitted.

Omission of section 6.

6. In section 7 of the principal Act, for the words and figures "committees, sub-committees, advisory committees and advisory sub-committees appointed under sections 5 and 6", the words and figure "committees and sub-committees appointed under section 5" shall be substituted.

Amendment of section 7.

7. In section 9 of the principal Act, the words "advisory committees, advisory sub-committees" shall be omitted.

Amendment of section 9.

8. For section 10 of the principal Act, the following section shall be substituted, namely:—

Substitution of new section for section 10.

"10. (1) The appropriate Government may, at any time, by notification in the Official Gazette, correct clerical or arithmetical mistakes in any order fixing or revising minimum rates of wages under this Act, or errors arising therein from any accidental slip or omission.

Correction of errors.

(2) Every such notification shall, as soon as may be after it is issued, be placed before the Advisory Board for information."

9. In section 12 of the principal Act, the words and figures "or section 10" shall be omitted.

Amendment of section 12.

10. Section 13 of the principal Act shall be re-numbered as sub-section (1) of that section and to the section as so re-numbered, the following sub-sections shall be added, namely:—

Amendment of section 13.

"(2) The provisions of sub-section (1) shall, in relation to the following classes of employees, apply only to such extent and subject to such conditions as may be prescribed:—

(a) employees engaged on urgent work, or in any emergency which could not have been foreseen or prevented;

(b) employees engaged in work in the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working in the employment concerned;

(c) employees whose employment is essentially intermittent;

(d) employees engaged in any work which for technical reasons has to be completed before the duty is over;

(e) employees engaged in a work which could not be carried on except at times dependent on the irregular action of natural forces.

(3) For the purposes of clause (c) of sub-section (2), employment of an employee is essentially intermittent when it is declared to be so by the appropriate Government on the ground that the daily hours of duty of the employee, or if there be no daily hours of duty as such for the employee, the hours of duty, normally include periods of inaction during which the employee may be on duty but is not called upon to display either physical activity or sustained attention."

Amendment  
of section 19.

11. In section 19 of the principal Act,—

(1) for clause (d) of sub-section (2), the following clause shall be substituted, namely:—

"(d) seize or take copies of such register, record of wages or notices or portions thereof as he may consider relevant in respect of an offence under this Act which he has reason to believe has been committed by an employer; and";

(2) after sub-section (3), the following sub-section shall be inserted, namely:—

"(4) Any person required to produce any document or thing or to give any information by an Inspector under sub-section (2) shall be deemed to be legally bound to do so within the meaning of section 175 and section 176 of the 45 of 1860. Indian Penal Code."

Amendment  
of section 20

12. In section 20 of the principal Act,—

(a) in sub-section (1),—

(i) for the words "any Commissioner for Workmen's Compensation or", the words "any Commissioner for Workmen's Compensation or any officer of the Central Government exercising functions as a Labour Commissioner for any region, or any officer of the State Government not below the rank of Labour Commissioner or any" shall be substituted;

(ii) after the words "less than the minimum rates of wages", the following shall be inserted, namely:—

"or in respect of the payment of remuneration for days of rest or for work done on such days under clause (b) or clause (c) of sub-section (1) of section 13 or of wages at the overtime rate under section 14,";

(b) in sub-section (2),—

(i) for the words "Where an employee is paid less than the minimum rates of wages fixed for his class of work under this Act", the following shall be substituted, namely:—

"Where an employee has any claim of the nature referred to in sub-section (1)";

(ii) in the first proviso, after the words "minimum wages", the words "or other amount" shall be inserted;

(c) for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) When any application under sub-section (2) is entertained, the Authority shall hear the applicant and the employer, or give them an opportunity of being heard, and after such further inquiry, if any, as it may consider necessary, may, without prejudice to any other penalty to which the employer may be liable under this Act, direct—

(i) in the case of a claim arising out of payment of less than the minimum rates of wages, the payment to the employee of the amount by which the minimum wages payable to him exceed the amount actually paid, together with the payment of such compensation as the Authority may think fit, not exceeding ten times the amount of such excess;

(ii) in any other case, the payment of the amount due to the employee, together with the payment of such compensation as the Authority may think fit, not exceeding ten rupees,

and the Authority may direct payment of such compensation in cases where the excess or the amount due is paid by the employer to the employee before the disposal of the application."

13. In sub-section (1) of section 21 of the principal Act,—

(i) for the words "A single application", the words "Subject to such rules as may be prescribed, a single application" shall be substituted;

Amendment  
of section 21.

(ii) after the words "such excess", the words "or ten rupees per head, as the case may be" shall be added.

Substitution  
of new sec-  
tions for sec-  
tion 22 and  
insertion of  
new sections  
22C to 22F.  
Penalties for  
certain offen-  
ces.

14. For section 22 of the principal Act, the following sections shall be substituted, namely:—

"22. Any employer who—

(a) pays to any employee less than the minimum rates of wages fixed for that employee's class of work, or less than the amount due to him under the provisions of this Act, or

(b) contravenes any rule or order made under section

13,

shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both:

Provided that in imposing any fine for an offence under this section, the Court shall take into consideration the amount of any compensation already awarded against the accused in any proceedings taken under section 20.

General pro-  
vision for  
punishment  
of other  
offences.

22A. Any employer who contravenes any provision of this Act or of any rule or order made thereunder shall, if no other penalty is provided for such contravention by this Act, be punishable with fine which may extend to five hundred rupees.

Cognizance  
of offences.

22B. (1) No Court shall take cognizance of a complaint against any person for an offence—

(a) under clause (a) of section 22 unless an application in respect of the facts constituting such offence has been presented under section 20 and has been granted wholly or in part, and the appropriate Government or an officer authorised by it in this behalf has sanctioned the making of the complaint;

(b) under clause (b) of section 22 or under section 22A, except on a complaint made by, or with the sanction of, an Inspector.

(2) No Court shall take cognizance of an offence—

(a) under clause (a) or clause (b) of section 22, unless complaint thereof is made within one month of the grant of sanction under this section;

(b) under section 22A, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed.

22C. (1) If the person committing any offence under this Act is a company, every person who at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Offences by companies.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer of the company shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation.*—For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals, and

(b) “director” in relation to a firm means a partner in the firm.

22D. All amounts payable by an employer to an employee as the amount of minimum wages of the employee under this Act or otherwise due to the employee under this Act or any rule or order made thereunder shall, if such amounts could not or cannot be paid to the employee on account of his death before payment or on account of his whereabouts not being known, be deposited with the prescribed authority who shall deal with the money so deposited in such manner as may be prescribed.

Payment of undischarged amounts due to employees.

22E. Any amount deposited with the appropriate Government by an employer to secure the due performance of a contract with that Government and any other amount due to such employer from that Government in respect of such contract shall not be liable to attachment under any decree or order of any court in respect of any debt or liability incurred by the employer other than any debt or liability incurred by the employer towards any employee employed in connection with the contract aforesaid.

Protection against attachment of assets of employer with Government.

Application  
of Payment  
of Wages  
Act, 1936, to  
scheduled  
employ-  
ments.

22F. (1) Notwithstanding anything contained in the Payment of Wages Act, 1936, the appropriate Government may, by notification in the Official Gazette, direct that, subject to the provisions of sub-section (2), all or any of the provisions of the said Act shall with such modifications, if any, as may be specified in the notification, apply to wages payable to employees in such scheduled employments as may be specified in the notification.

(2) Where all or any of the provisions of the said Act are applied to wages payable to employees in any scheduled employment under sub-section (1), the Inspector appointed under this Act shall be deemed to be the Inspector for the purpose of enforcement of the provisions so applied within the local limits of his jurisdiction."

Amendment  
of section 26.

15. In section 26 of the principal Act,—

(1) in sub-section (2), after the words "direct that", the words "subject to such conditions and" shall be inserted;

(2) in sub-section (2A),—

(i) after the words "in a local area", the words "or to any establishment or a part of any establishment in a scheduled employment" shall be inserted;

(ii) after the words "in respect of such employees of that class", the words "or in respect of employees in such establishment or such part of any establishment" shall be inserted.

Amendment  
of section 30.

16. In section 30 of the principal Act, in clauses (a) and (b) of sub-section (2), the words "advisory committees, advisory sub-committees" shall be omitted.

Amendment  
of section 31.

17. Section 31 of the principal Act shall be re-numbered as sub-section (1) of that section and to the section as so re-numbered, the following sub-section shall be added, namely:—

"(2) The provisions of sub-section (1) shall apply in relation to minimum rates of wages fixed by an appropriate Government during the period commencing on the 31st day of December, 1954, and ending with the date of commencement of the Minimum Wages (Amendment) Act, 1957, as they apply in relation to minimum rates of wages fixed by an appropriate Government during the period commencing on the 1st day of April, 1952, and ending with the date of commencement of the Minimum Wages (Amendment) Act, 1954, subject to the modi-



fication that for the words, figures, brackets and letter 'employment specified in Part I of the Schedule in the belief or purported belief that such rates were being fixed under sub-clause (i) of clause (a) of sub-section (1) of section 3', the words, figures, brackets and letter 'employment specified in Part I or Part II of the Schedule in the belief or purported belief that such rates were being fixed under sub-clause (i) or sub-clause (ii) of clause (a) of sub-section (1) of section 3' shall be substituted."

18. In the Schedule to the principal Act, for item 7 under Part I, the following item shall be substituted and shall be deemed always to have been substituted, namely:—

"7. Employment on the construction or maintenance of roads or in building operations."

## THE DHOTIES (ADDITIONAL EXCISE DUTY) AMENDMENT ACT, 1957

No. 31 OF 1957

[17th September, 1957]

An Act to amend the Dhoties (Additional Excise Duty) Act, 1953.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

1. This Act may be called the Dhoties (Additional Excise Duty) Amendment Act, 1957. Short title.

39 of 1953. 2. In section 1 of the Dhoties (Additional Excise Duty) Act, 1953 (hereinafter referred to as the principal Act), in sub-section (2), the words "except the State of Jammu and Kashmir" shall be omitted. Amendment of section 1.

3. In section 2 of the principal Act, after clause (a), the following clause shall be inserted, namely:— Amendment of section 2.

"(aa) 'group of mills' means two or more mills under common ownership or management;".

4. In section 3 of the principal Act, after sub-section (2), the following sub-sections shall be inserted, namely:— Amendment of section 3.

"(3) The permissible quota of dhoties which may be issued out of any group of mills as a whole during any quarter in any case where an application is made in that behalf by that group, shall be such as the Textile Commissioner to the Government of India may fix, but such permissible quota shall in no

case exceed the total of the permissible quotas under sub-section (1) or, as the case may be, under sub-section (2), for all the mills included in that group.

(4) Where an application for the fixation of a permissible quota under sub-section (3) is rejected, the Textile Commissioner shall record in writing a brief statement of his reasons for such rejection.”.

Amendment  
of section 4.

5. In section 4 of the principal Act,—

(a) in sub-section (1), after the figures “1953”, the words “or out of any group of mills,” shall be inserted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) For the removal of doubts it is hereby declared that where a duty of excise has been levied under sub-section (1) on any quantity of dhoties issued in excess of the permissible quota fixed under sub-section (3) of section 3 for any group of mills, no duty of excise shall be levied separately under the said sub-section (1) on any quantity of dhoties issued out of any mill included in that group on the ground that such quantity is in excess of the permissible quota for that mill.”.

Amendment  
of section 5.

6. Section 5 of the principal Act shall be re-numbered as sub-section (1) thereof, and—

(a) in sub-section (1) as so re-numbered, after the words “in particular”, the words “the form and manner of applications for fixation of permissible quotas for groups of mills, the procedure to be followed in relation to such fixation and” shall be inserted;

(b) after sub-section (1) as so re-numbered, the following sub-section shall be inserted, namely:—

“(2) All rules made under this Act shall be laid for not less than thirty days before each House of Parliament as soon as may be after they are made, and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following.”

7. In the Schedule to the principal Act, after the words "any mill", the words "or any group of mills" shall be inserted.

Amendment of the Schedule.

## THE FORWARD CONTRACTS (REGULATION) AMENDMENT ACT, 1957

No. 32 of 1957

[17th September, 1957]

An Act further to amend the Forward Contracts (Regulation) Act, 1952.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows :—

1. This Act may be called the Forward Contracts (Regulation) Amendment Act, 1957.

2. After section 9 of the Forward Contracts (Regulation) Act, 1952, the following section shall be inserted, namely :—

"9A. (1) A recognised association may make rules or amend any rules made by it to provide for all or any of the following matters, namely :—

Insertion of new section 9A.

Power of recognised association to make rules respecting grouping of members, restricting voting rights, etc., in special cases.

(a) the grouping of the members of the association according to functional or local interests, the reservation of seats on its governing body for members belonging to each group and appointment of members to such reserved seats—

(i) by election exclusively by the members belonging to the group concerned;

(ii) by election by all the members of the association;

(iii) by election by all the members of the association from among persons chosen by the members belonging to the group concerned for the purpose;

(b) the restriction of voting rights in respect of any matter placed before the association at any meeting to those members only who, by reason of their functional or local interests, are actually interested in such matter;

(c) the regulation of voting rights in respect of any matter placed before the association at any meeting so that each member may be entitled to have one vote only, irrespective of his share of the paid-up equity capital of the association;

(d) the restriction on the right of a member to appoint another person as his proxy to attend and vote at a meeting of the association;

(e) such incidental, consequential and supplementary matters as may be necessary to give effect to any of the matters specified in clauses (a), (b), (c) and (d).

(2) No rules of a recognised association made or amended in relation to any matter referred to in clauses (a) to (e) of sub-section (1) shall have effect until they have been approved by the Central Government and published by that Government in the Official Gazette and, in approving the rules so made or amended, the Central Government may make such modifications therein as it thinks fit, and on such publication, the rules as approved by the Central Government shall be deemed to have been validly made, notwithstanding anything to the contrary contained in the Companies Act, 1956.

I of 1956.

(3) Where, before the commencement of the Forward Contracts (Regulation) Amendment Act, 1957, any rules have been made or amended in relation to any matter referred to in clauses (a) to (e) of sub-section (1), the rules so made or amended shall not be deemed to be invalid or ever to have been invalid merely by reason of the fact that the rules so made or amended are repugnant to any of the provisions of the Companies Act, 1956."

I of 1956.

Transitional provisions respecting recognised associations in certain cases.

3. Where any recognised association which has been granted an extension of time for holding its annual general meeting under the proviso to clause (c) of sub-section (1) of section 166 of the Companies Act, 1956, is desirous of making or amending rules in relation to the matters referred to in clause (a) of sub-section (1) of section 9A of the Forward Contracts (Regulation) Act, 1952, and reconstituting its governing body in accordance with such rules, and the Central Government, on an application made to it by the recognised association, is satisfied that it would not be possible for the association so to reconstitute its governing body within the extended time granted to it, the Central Government may, notwithstanding anything to the contrary contained in the Companies Act, 1956, extend the time within which the said annual general meeting shall be held by a further period not exceeding six months.

I of 1956.

74 of 1952.

I of 1956.

THE COTTON FABRICS (ADDITIONAL EXCISE DUTY)  
ACT, 1957

No. 33 OF 1957

[17th September, 1957]

An Act to provide for the levy and collection in certain circumstances of an additional duty of excise on cotton fabrics issued out of mills.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Cotton Fabrics (Additional Excise Duty) Act, 1957.

Short title,  
extent and  
commence-  
ment.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act,—

Definitions.

1 of 1944.

(a) "cotton fabrics" has the meaning assigned to it in the First Schedule to the Central Excises and Salt Act, 1944;

(b) "export" means taking out of India by sea, land or air;

(c) "export quota" means the export quota referred to in section 3;

(d) "mill" means any building or place in which cotton yarn is spun and cotton fabrics are manufactured by machinery moved otherwise than by manual labour, and includes every part of such building or place;

(e) "owner"—

(i) with reference to any mill or group of mills the possession of which has been transferred by lease, mortgage or otherwise, means the transferee so long as his right to possession subsists; and

(ii) with reference to any mill or group of mills for which an agent is employed, means the agent if, and in so far as, he has been duly authorised by the owner in that behalf;

(f) "year" means the year beginning on the 1st day of April.

Export  
quota

3. (1) The export quota in respect of all cotton fabrics manufactured by any mill, or by any group of mills under a common owner, for any year shall be such quantity as the Central Government may, by notification in the Official Gazette, fix, and in fixing any such export quota the Central Government shall have regard to—

(a) the quantity of cotton fabrics exported by such mill or group of mills during the relevant period;

(b) the additional quantity of cotton fabrics that such mill or group of mills may normally be expected to produce on the new looms installed therein after the 1st day of April, 1957, in pursuance of any licence or permission granted under the Industries (Development and Regulation) Act, 1951; and

65 of 1951.

(c) where the quota is to be fixed for any year subsequent to the quota first fixed for any mill or group of mills, the actual quantity of cotton fabrics produced in that mill or group of mills during any previous year for which an export quota has been fixed.

(2) The owner of any mill or group of mills shall, within such time as the Central Government may fix in this behalf, intimate to the Central Government the relevant period chosen by him for the purpose of his mill or group of mills, and such relevant period shall be any such year, out of the three years commencing on the 1st day of April, 1953, and ending with the 31st day of March, 1956, as he may choose for the purpose:

Provided that if within the time fixed in this behalf no such intimation is received from any such owner, the relevant period shall be such as the Central Government may fix in this behalf having regard to the cotton fabrics exported by that mill or group of mills during the said period of three years.

(3) Notwithstanding anything contained in sub-section (2),—

(i) where in the case of any mill or group of mills the relevant period cannot be chosen or fixed by reason of the fact that it came into existence or commenced working only during or after the expiry of the three years referred to in sub-section (2), or

(ii) where the mill or group of mills, during the said period of three years, has not issued cotton fabrics for export, or

(iii) where any mill out of a group of mills has been transferred during any year and by reason of such transfer it is necessary to fix the export quota for the mill so transferred,

the Central Government may, by notification in the Official Gazette, fix the export quota in respect of the mill or group of mills, as the case may be, to be such quantity as in its opinion is reasonable, having regard to the capacity of the mill or group of mills, the export quota fixed for mills of a similar description and to the other circumstances of the case.

(4) The export quota fixed for any mill or group of mills for any year may be revised at any time during that year if the Central Government is of opinion that due to increased production, or to unforeseen causes adversely affecting production or for any other reason it is necessary to increase or diminish the export quota for that year.

4. (1) Where the quantity of cotton fabrics exported by any mill or group of mills in any year (whether the cotton fabrics were manufactured during that year or at any time previous thereto) falls short of the export quota for that year by any quantity (hereinafter referred to as the said quantity), there shall be levied and collected on so much of the cotton fabrics issued by the said mill or group of mills during that year for consumption in India as is equal to the said quantity a duty of excise at the rates applicable thereto as specified in the Schedule.

Levy of additional excise duty on cotton fabrics,

(2) The duty of excise referred to in sub-section (1) shall be in addition to the duty of excise chargeable on cotton fabrics under any other law for the time being in force and shall be paid by the owner of the mill or group of mills concerned to such authority as may be specified in the notice demanding payment of the duty and within such period, not exceeding ninety days, as may be specified in such notice.

(3) If any such owner does not pay the whole or any part of the duty payable by him within the period referred to in sub-section (2), he shall be liable to pay in respect of every period of thirty days or part thereof during which the default continues a penalty which may extend to ten per cent. of the duty outstanding from time to time, the penalty being adjudged in the same manner as the penalty to which a person is liable under the rules made under the Central Excises and Salt Act, 1944, is adjudged.

(4) The provisions of the Central Excises and Salt Act, 1944, and the rules made thereunder, including those relating to refunds and exemptions from duty, shall, so far as may be, apply in relation to the levy and collection of the duty of excise or any other sum referred to in this section as they apply in relation to the levy and collection of the duty on cotton fabrics or other sums of money payable to the Central Government under that Act or the rules made thereunder.

**Delegation  
of Powers.**

5. The Central Government may, by notification in the Official Gazette, direct that any power conferred on it by this Act shall, subject to such conditions, if any, as may be specified in the direction, be exercisable also by such officer or authority subordinate to the Central Government as may be specified in the direction.

**Power to  
make rules.**

6. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act, including, in particular, the submission by mills to such authority as may be specified in this behalf of returns or other information relating to the manufacture or issue of cotton fabrics.

(2) All rules made under this section shall be laid for not less than thirty days before each House of Parliament, as soon as may be, after they are made, and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following.

## THE SCHEDULE

[See section 4(1)]

### Rate of duty

The duty leviable under section 4 shall be—

(a) where the said quantity does not exceed 5 per cent. of the export quota . . . Six *naye paise* per square yard.

(b) where the said quantity exceeds 5 per cent. of the export quota but does not exceed 10 per cent. thereof :

(i) on the quantity which does not exceed 5 per cent. of the export quota . . . . . Six *naye paise* per square yard.

(ii) on the balance . . . . . Nine *naye paise* per square yard.



(c) where the said quantity exceeds 10 per cent. of the export quota :

(i) on the quantity which does not exceed 5 per cent. of the export quota . . . . . Six *naye paise* per square yard.

(ii) on the quantity which exceeds 5 per cent. of the export quota but does not exceed 10 per cent. thereof . . . . . Nine *naye paise* per square yard.

(iii) on the balance . . . . . Twelve *naye paise* per square yard.

## THE INDIAN SUCCESSION (AMENDMENT) ACT, 1957

No. 34 of 1957

[17th September, 1957]

An Act further to amend the Indian Succession Act, 1925.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

1. This Act may be called the Indian Succession (Amendment) Act, 1957.

39 of 1925. 2. For section 382 of the Indian Succession Act, 1925, the following section shall be substituted, namely:—

Substitution of new section for section 382.

“382. Where a certificate in the form, as nearly as circumstances admit, of Schedule VIII—

Effect of certificate granted or extended by Indian representative in foreign State and in certain other cases.

(a) has been granted to a resident within a foreign State by an Indian representative accredited to that State, or

3 of 1951.

(b) has been granted before the commencement of the Part B States (Laws) Act, 1951, to a resident within any Part B State by a district judge of that State or has been extended by him in such form, or

(c) has been granted after the commencement of the Part B States (Laws) Act, 1951, to a resident within the State of Jammu and Kashmir by the district judge of that State or has been extended by him in such form,

7 of 1870.

the certificate shall, when stamped in accordance with the provisions of the Court-fees Act, 1870, with respect to certificates

under this Part, have the same effect in India as a certificate granted or extended under this Part".

## THE INSURANCE (AMENDMENT) ACT, 1957

No. 35 of 1957

[17th September, 1957]

An Act further to amend the Insurance Act, 1938.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

Short title  
and com-  
mencement.

1. (1) This Act may be called the Insurance (Amendment) Act, 1957.

(2) It shall be deemed to have come into force on the 1st day of September, 1957.

Amendment  
of section 2.

2. In section 2 of the Insurance Act, 1938 (hereinafter referred to as the principal Act), in clause (10), the words "being an individual" shall be omitted.

Amendment  
of section 42.

3. In section 42 of the principal Act—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) The Controller or an officer authorised by him in this behalf shall, in the prescribed manner and on payment of the prescribed fee which shall not be more than ten rupees, issue to any person making an application in the prescribed manner a licence to act as an insurance agent for the purpose of soliciting or procuring insurance business:

Provided that—

(a) in the case of an individual, he does not suffer from any of the disqualifications mentioned in sub-section (4), and

(b) in the case of a company or firm, any of its directors or partners does not suffer from any of the said disqualifications, and the company or firm was immediately before the 1st day of August, 1957, holding a certificate issued under section 42A entitling it to act as a principal agent for the purpose of procuring insurance business:

Provided further that in the case of a company or firm, the licence under this sub-section shall be issued only for the purpose of soliciting or procuring general insurance business.”;

(ii) in sub-section (3), for the words, letters, figure and brackets “if the applicant does not suffer from any of the disqualifications mentioned in items (b), (c) and (d) of sub-section (4)”, the following shall be substituted, namely:—

“if the applicant, being an individual does not, or being a company or firm any of its directors or partners does not, suffer from any of the disqualifications mentioned in clauses (b), (c) and (d) of sub-section (4)”;

(iii) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) If it be found that an insurance agent being an individual is, or being a company or firm contains a director or partner who is, suffering from any of the disqualifications mentioned in sub-section (4), then, without prejudice to any other penalty to which he may be liable, the Controller shall, and if the insurance agent has knowingly contravened any of the provisions of this Act may, cancel the licence issued to the agent under this section.”;

(iv) after sub-section (6), the following sub-sections shall be inserted, namely:—

“(7) Any person who acts as an insurance agent without holding a licence issued under this section to act as such shall be punishable with fine which may extend to fifty rupees, and any insurer or any person acting on behalf of an insurer, who appoints as an insurance agent any person not licensed to act as such or transacts any insurance business in India through any such person, shall be punishable with fine which may extend to one hundred rupees.

(8) Where the person contravening sub-section (7) is a company or a firm, then, without prejudice to any other proceedings which may be taken against the company or firm, every director, manager, secretary or other officer of the company, and every partner of the firm who is knowingly a party to such contravention shall be punishable with fine which may extend to fifty rupees.”.

Amendment of section 43. 4. In section 43 of the principal Act, sub-sections (2) and (3) shall be omitted.

Substitution of new section for section 118. 5. For section 118 of the principal Act, the following section shall be substituted, namely:—

Exemptions. "118. Nothing in this Act shall apply—

(a) to any trade union registered under the Indian Trade Unions Act, 1926; or 16 of 1926.

(b) to any provident fund to which the provisions of the Provident Funds Act, 1925, apply; or 19 of 1925.

(c) if the Central Government so orders in any case, and to such extent or subject to such conditions or modifications as may be specified in the order, to any insurance business carried on by the Central Government or a State Government or a Government company as defined in section 617 of the Companies Act, 1956; or 1 of 1956

(d) if the Controller so orders in any case, and to such extent or subject to such conditions or modifications as may be specified in the order, to—

(i) any approved superannuation fund as defined in clause (a) of section 58N of the Indian Income-tax Act, 1922; or 11 of 1922.

(ii) any fund in existence and officially recognised by the Central Government before the 27th day of January, 1937, maintained by or on behalf of Government servants or Government pensioners for the mutual benefit of contributors to the fund and of their dependants; or

(iii) any mutual or provident insurance society composed wholly of Government servants or of railway servants which has been exempted from any or all of the provisions of the Provident Insurance Societies Act, 1912." 5 of 1912.

## THE REPEALING AND AMENDING ACT, 1957

No. 36 of 1957

[17th September, 1957]

An Act to repeal certain enactments and to amend certain other enactments.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

1. This Act may be called the Repealing and Amending Act, Short title, 1957.

2. The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

Repeal of  
certain  
enactments.

3. The enactments specified in the Second Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

Amendment  
of certain  
enactments.

4. The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;

Savings.

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

## THE FIRST SCHEDULE

## REPEALS

(See section 2)

Year	No.	Short title	Extent of repeal
1	2	3	4
<i>Central Acts</i>			
1848	15	The Supreme Courts' Officers Trading Act, 1848.	The whole.
1864	8	The Comptoir d'Escompte de Paris Act, 1864.	The whole.
1867	9	The Comptoir d'Escompte de Paris Act, 1867.	The whole.
1876	9	The Native Coinage Act, 1876.	The whole.
1890	7	The Comptoir National d'Escompte de Paris Act, 1890.	The whole.
1894	15	The Engineers' Certificates Validation Act, 1894.	The whole.
1926	20	The Cotton Industry (Statistics) Act, 1926.	The whole.
1932	13	The Sugar Industry (Protection) Act, 1932.	The whole.
1937	24	The Rules and Regulations Continuance Act, 1937.	The whole.
1938	4	The Insurance Act, 1938.	Sections 121 to 123.
1939	23	The Indian Soft Coke Cess Committee (Reconstitution and Incorporation) Act, 1939.	The whole.
1941	1	The Insurance Deposits (Temporary Reduction) Act, 1941.	The whole.

Year	No.	Short title	Extent of repeal
1	2	3	4
<i>Central Acts—contd.</i>			
1946	17	The Protective Duties Act, 1946.	The whole.
1946	24	The Essential Supplies (Temporary Powers) Act, 1946.	The whole.
1947	9	The Sugar (Temporary Excise Duty) Act, 1947.	The whole.
1947	12	The Railways (Transport of Goods) Act, 1947.	The whole.
1947	39	The Press (Special Powers) Act, 1947.	The whole.
1948	3	The Armed Forces (Special Powers) Act, 1947.	The whole.
1948	37	The Census Act, 1948.	Section 2.
1948	67	The Indian Tariff (Amendment) Act, 1948.	The whole.
1949	10	The Banking Companies Act, 1949.	Section 56 and the Second Schedule.
1949	60	The Delhi Premises (Requisition and Eviction) Amendment and Validation Act, 1949.	The whole.
1950	1	The Rehabilitation Finance Administration (Amendment) Act, 1950.	The whole.
1950	2	The Patents and Designs (Extension of Time) Act, 1950.	The whole.
1950	3	The Insolvency Law (Amendment) Act, 1950.	The whole.
1950	5	The Indian Tariff (Amendment) Act, 1950.	The whole.
1950	6	The Imports and Exports (Control) Amendment Act, 1950.	The whole.
1950	7	The High Courts (Seals) Act, 1950.	Section 3.
1950	8	The Control of Shipping (Amendment) Act, 1950.	The whole.
1950	10	The Immigrants (Expulsion from Assam) Act, 1950.	Section 7.
1950	11	The Indian Railways (Amendment) Act, 1950.	The whole.
1950	14	The Criminal Law Amendment Act, 1950.	The whole.
1950	16	The Prevention of Corruption (Amendment) Act, 1950.	The whole.
1950	20	The Banking Companies (Amendment) Act, 1950.	The whole.

Year	No.	Short title	Extent of repeal
1	2	3	4
<i>Central Acts—contd.</i>			
1950	21	The Indian Tariff (Second Amendment) Act, 1950.	The whole.
1950	22	The Capital Issues (Continuance of Control) Amendment Act, 1950.	The whole.
1950	26	The Drugs (Control) Act, 1950.	Section 20.
1950	28	The Sholapur Spinning and Weaving Company (Emergency Provisions) Act, 1950.	The whole.
1950	29	The Transfer of Prisoners Act, 1950.	Section 4.
1950	32	The Indian Patents and Designs (Amendment) Act, 1950.	The whole.
1950	34	The Foreign Exchange Regulation (Amendment) Act, 1950.	The whole.
1950	35	The Repealing and Amending Act, 1950.	The whole.
1950	36	The Nawab Salar Jung Bahadur (Administration of Assets) Act, 1950.	Section 11.
1950	37	The Indian Tariff (Third Amendment) Act, 1950.	The whole.
1950	38	The Inland Steam-vessel (Amendment) Act, 1950.	The whole.
1950	40	The Army and Air Force (Disposal of Private Property) Act, 1950.	Section 17.
1950	45	The Air Force Act, 1950.	Section 192.
1950	46	The Army Act, 1950.	Section 194 and the Schedule.
1950	47	The Insurance (Amendment) Act, 1950.	The whole.
1950	51	The Census (Amendment) Act, 1950.	The whole.
1950	53	The Cantonment Laws (Extension and Amendment) Act, 1950.	The whole.
1950	54	The Finance Laws (Amendment) Act, 1950.	The whole.
1950	56	The Minimum Wages (Amendment) Act, 1950.	The whole.
1950	57	The Naval Forces (Miscellaneous Provisions) Act, 1950.	Section 5.
1950	58	The Dentists (Amendment) Act, 1950.	The whole.
1950	59	The Salaries of Ministers (Amendment) Act, 1950.	The whole.
1950	64	The Road Transport Corporations Act, 1950.	Section 48.



Year	No.	Short title	Extent of repeal
1	2	3	4
<i>Central Acts—contd.</i>			
1950	66	The Administration of Evacuee Property (Amendment) Act, 1950.	The whole.
1950	68	The Displaced Persons (Institution of Suits and Legal Proceedings) Amendment Act, 1950.	The whole.
1950	69	The Indian Tariff (Fourth Amendment) Act, 1950.	The whole.
1950	70	The Supply and Prices of Goods Act, 1950.	The whole.
1950	73	The Representation of the People (Amendment) Act, 1950.	The whole.
1950	75	The Indian Nursing Council (Amendment) Act, 1950.	The whole.
1950	76	The State Railway Provident Fund (Temporary Provisions) Act, 1950.	The whole.
1950	78	The Khaddar (Protection of Name) Act, 1950.	Section 3.
1950	80	The Coal Mines Provident Fund and Bonus Schemes (Amendment) Act, 1950.	The whole.
1951	5	The Employers' Liability (Amendment) Act, 1951.	The whole.
1951	11	The Taxation on Income (Investigation Commission) Amendment Act, 1951.	The whole.
1951	13	The Indian Tariff (Amendment) Act, 1951.	The whole.
1951	16	The Minimum Wages (Amendment) Act, 1951.	The whole.
1951	17	The Coal Mines Safety (Stowing) Amendment Act, 1951.	The whole.
1951	19	The Code of Civil Procedure (Second Amendment) Act, 1951.	The whole.
1951	20	The Indian Tariff (Second Amendment) Act, 1951.	The whole.
1951	21	The Coal Mines Provident Fund and Bonus Schemes (Amendment) Act, 1951.	The whole.
1951	22	The Administration of Evacuee Property (Amendment) Act, 1951.	The whole.
1951	24	The Codes of Civil and Criminal Procedure (Amendment) Act, 1951.	The whole.
1951	26	The Inland Steam-vessels (Amendment) Act, 1951.	The whole.

Year	No.	Short title	Extent of repeal
1	2	3	4
<i>Central Acts—contd.</i>			
1951	27	The Representation of the People (Amendment) Act, 1951.	The whole.
1951	28	The Tax on Newspapers (Sales and Advertisements) Repeal Act, 1951.	The whole.
1951	31	The Hyderabad Public Companies (Limitation of Dividends) Repealing Act, 1951.	The whole.
1951	32	The Reserve Bank of India (Amendment) Act, 1951.	The whole.
1951	34	The Assam Rifles (Amendment) Act, 1951.	The whole.
1951	35	The Port Trusts and Ports (Amendment) Act, 1951.	The whole.
1951	36	The Delhi Laws (Amendment) Act, 1951.	The whole.
1951	38	The Indian Boilers (Amendment) Act, 1951.	The whole.
1951	40	The Industrial Disputes (Amendment and Temporary Provisions) Act, 1951.	Sections 3 to 6.
1951	43	The Representation of the People Act, 1951.	Sections 138 and 171.
1951	44	The Opium and Revenue Laws (Extension of Application) Amendment Act, 1951.	The whole.
1951	45	The Sea Customs and the Central Excises and Salt (Amendment) Act, 1951.	The whole.
1951	48	The Employment of Children (Amendment) Act, 1951.	The whole.
1951	53	The Employees' State Insurance (Amendment) Act, 1951.	The whole.
1951	54	The Companies (Donations to National Funds) Act, 1951.	Section 4.
1951	55	The Benares Hindu University (Amendment) Act 1951.	The whole.
1951	56	The Press (Objectionable Matter) Act, 1951.	The whole.
1951	62	The Aligarh Muslim University (Amendment) Act, 1951.	The whole.
1951	65	The Industries (Development and Regulation) Act, 1951.	Section 32.
1951	67	The Representation of the People (Second Amendment) Act, 1951.	The whole.
1952	2	The Prevention of Corruption (Amendment) Act, 1952.	The whole.
1952	3	The Indian Explosives (Amendment) Act, 1952.	The whole.

Year	No.	Short title	Extent of repeal
1	2	3	4

*Central Acts—contd.*

1952	4	The Madras Port Trust (Amendment) Act, 1952.	The whole.
1952	5	The Delhi University (Amendment) Act, 1952.	The whole.
1952	6	The Capital Issues (Continuance of Control) Amendment Act, 1952.	The whole.
1952	7	The Abducted Persons (Recovery and Restoration) Amendment Act, 1952.	The whole.
1952	8	The Foreign Exchange Regulation (Amendment) Act, 1952.	The whole.
1952	9	The Indian Independence Pakistan Courts (Pending Proceedings) Act, 1952.	Section 5.
1952	10	The Uttar Pradesh Cantonments (Control of Rent and Eviction) Act, 1952.	Section 24.
1952	11	The Bombay Port Trust (Amendment) Act, 1952.	The whole.
1952	12	The Coal Mines (Conservation and Safety) Act, 1952.	Section 19.
1952	17	The Control of Shipping (Amendment) Act, 1952.	The whole.
1952	18	The Industrial Disputes (Amendment) Act, 1952.	The whole.
1952	19	The Employees' Provident Funds Act, 1952.	Section 20.
1952	20	The Inflammable Substances Act, 1952.	Section 7.
1952	22	The Bombay Coasting-vessels (Amendment) Act, 1952.	The whole.
1952	23	The Code of Criminal Procedure (Amendment) Act, 1952.	The whole.
1952	24	The Criminal Tribes Laws (Repeal) Act, 1952.	The whole.
1952	25	The Indian Boilers (Amendment) Act, 1952.	The whole.
1952	26	The Delhi Special Police Establishment (Amendment) Act, 1952.	The whole.
1952	27	The Indian Tariff (Amendment) Act, 1952.	The whole.
1952	32	The Contempt of Courts Act, 1952.	Section 6 and the Schedule.
1952	33	The Territorial Army (Amendment) Act, 1952.	The whole.

Year	No.	Short title	Extent of repeal
1	2	3	4
<i>Central Acts—contd.</i>			
1952	35	The Mines Act, 1952.	Section 88.
1952	39	The Saurashtra (Abolition of Local Sea Customs Duties and Imposition of) Port Development Levy Repealing Act, 1952.	The whole.
1952	41	The Calcutta Port (Amendment) Act, 1952.	The whole.
1952	42	The Indian Tariff (Second Amendment) Act, 1952.	The whole.
1952	45	The Indian Tariff (Third Amendment) Act, 1952.	The whole.
1952	46	The Criminal Law (Amendment) Act, 1952.	Sections 2, 3, 4 and 5.
1952	47	The Maintenance Orders Enforcement (Amendment) Act, 1952.	The whole.
1952	48	The Repealing and Amending Act, 1952.	The whole.
1952	50	The Rubber (Production and Marketing) Amendment Act, 1952.	The whole.
1952	53	The Notaries Act, 1952.	Section 16.
1952	55	The Indian Ports (Amendment) Act, 1952.	The whole.
1952	56	The Central Silk Board (Amendment) Act, 1952.	The whole.
1952	57	The National Cadet Corps (Amendment) Act, 1952.	The whole.
1952	58	The Salaries and Allowances of Ministers Act, 1952.	Section 13.
1952	59	The Prevention of Corruption (Second Amendment) Act, 1952.	The whole.
1952	62	The Reserve and Auxiliary Air Forces Act, 1952.	Sections 35 and 36
1952	63	The State Armed Police Forces (Extension of Laws) Act, 1952.	Section 5.
1952	64	The Code of Criminal Procedure (Second Amendment) Act, 1952.	The whole
1952	66	The Indian Tariff (Fourth Amendment) Act, 1952.	The whole.
1952	67	The Sugar (Temporary Additional Excise Duty) Act, 1952.	The whole.
1952	68	The Indian Oilseeds Committee (Amendment) Act, 1952.	The whole.
1952	69	The Indian Coconut Committee (Amendment) Act, 1952.	The whole.

Year	No.	Short title	Extent of repeal
1	2	3	4
<i>Central Acts—contd.</i>			
1952	70	The Indian Patents and Designs (Amendment) Act, 1952.	The whole.
1952	71	The Code of Civil Procedure (Amendment) Act, 1952.	The whole.
1952	73	The Indian Power Alcohol (Amendment) Act, 1952.	The whole.
1952	77	The Abducted Persons (Recovery and Restoration) Amendment Act, 1952.	The whole.
1952	78	The Industrial Finance Corporation (Amendment) Act, 1952.	The whole.
1952	79	The Iron and Steel Companies Amalgamation Act, 1952.	Section 15.
1953	2	The Indian Tariff (Amendment) Act, 1953.	The whole.
1953	10	The Hyderabad Coinage and Paper Currency (Miscellaneous Provisions) Act, 1953.	The whole.
1953	15	The Central Excises and Salt (Amendment) Act, 1953.	The whole.
1953	18	The Indian Lighthouse (Amendment) Act, 1953.	The whole.
1953	19	The Cinematograph (Amendment) Act, 1953.	The whole.
1953	22	The Patiala and East Punjab States Union Legislature (Delegation of Powers) Act, 1953.	The whole.
1953	24	The Delhi Road Transport Authority (Amendment) Act, 1953.	The whole.
1953	26	The Industries (Development and Regulation) Amendment Act, 1953.	The whole.
1953	31	The Central Silk Board (Amendment) Act, 1953.	The whole.
1953	32	The Collection of Statistics Act, 1953.	Section 15.
1953	35	The Sea Customs (Amendment) Act, 1953.	The whole.
1953	36	The Rehabilitation Finance Administration (Amendment) Act, 1953.	The whole.
1953	37	The Employees' Provident Funds (Amendment) Act, 1953.	The whole.
1953	39	The Dhoties (Additional Excise Duty) Act, 1953.	Section 6.

Year	No.	Short title	Extent of repeal
1	2	3	4
<i>Central Acts—concl'd.</i>			
1953	40	The Live-stock Importation (Amendment) Act, 1953.	The whole.
1953	42	The Repealing and Amending Act, 1953.	The whole.
1953	43	The Industrial Disputes (Amendment) Act, 1953.	The whole.
1953	46	The Forward Contracts (Regulation) Amendment Act, 1953.	The whole.
1953	47	The Indian Tariff (Second Amendment) Act, 1953.	The whole.
1953	48	The Indian Tariff (Third Amendment) Act, 1953.	The whole.
1953	52	The Banking Companies (Amendment) Act, 1953.	The whole.
1953	53	The Telegraph Wires (Unlawful Possession) Amendment Act, 1953.	The whole.
1953	54	The Reserve Bank of India (Amendment and Miscellaneous Provisions) Act, 1953.	Section 2 to 8
1953	55	The Indian Patents and Designs (Amendment) Act, 1953.	The whole.
<i>Ordinances made by the Governor-General</i>			
1940	9	The War Risk (Goods) Insurance Ordinance, 1940.	The whole.
1940	10	The Indian Forces (Transfer) Ordinance, 1940.	The whole.
1941	5	The State Prisoners (Detention of Lunatics) Ordinance, 1941.	The whole.
1942	3	The Penalties (Enhancement) Ordinance, 1942.	The whole.
1942	12	The War Risks (Factories) Insurance Ordinance, 1942.	The whole.
1943	18	The Martial Law (Indemnity) Ordinance, 1943.	The whole.
1943	19	The Special Criminal Court (Repeal) Ordinance, 1943.	The whole.
1943	29	The Criminal Law Amendment Ordinance, 1943.	The whole.
1944	2	The Cotton Cloth and Yarn (Contracts) Ordinance, 1944.	The whole.
1944	32	The Bombay Explosion (Compensation) Ordinance, 1944.	The whole.

Year 1	No. 2	Short title 3	Extent of repeal 4
<i>Ordinances made by the Governor-General—concl'd.</i>			
1944	37	The Civilian Personnel (War Department) Transfer Ordinance, 1944.	The whole.
1944	45	The Income-tax and Excess Profits Tax (Validity of Notices) Ordinance, 1944.	The whole.
1945	5	The Canteen Stores (Exemption From Local Taxation) Ordinance, 1945.	The whole.
1945	23	The Present War (Definition) Ordinance, 1945.	The whole.
1945	29	The War Risks (Factories) Insurance (Termination) Ordinance, 1945.	The whole.
1945	33	The Limitation (War Conditions) Ordinance, 1945.	The whole.
1945	34	The War Risks (Goods) Insurance (Termination) Ordinance, 1945.	The whole.
1945	46	The Pensions Appeal Tribunals (Powers) Ordinance, 1945.	The whole.
1946	5	The National Service (European British Subjects) Termination of Calling-up Ordinance, 1946.	The whole.
<i>Regulations</i>			
1806	11	The Bengal Troops Transport and Travelers' Assistance Regulation, 1806.	The whole.
1825	6	The Bengal Troops Transport Regulation, 1825.	The whole.
1948	1	The Indian Tea Control (Amendment) Darjeeling District Regulation, 1948.	The whole.

## THE SECOND SCHEDULE

## AMENDMENTS

(See section 3)

Year 1	No. 2	Short title 3	Amendments 4
<i>Central Acts</i>			
1860	45	The Indian Penal Code. (i) In section 4— (a) for the word "Illustrations", the word "Illustration" shall be substituted; (b) in the Illustration, the brackets and letter "(a)" at the commencement shall be omitted.	

Year	No.	Short title	Amendments
1	2	3	4

*Central Acts—contd.*

- (ii) In sub-section (2) of section 53A for the figures "1954", the figures "1955" shall be substituted.
- (iii) In section 121—
- (a) for the word "Illustrations", the word "Illustration" shall be substituted ;
- (b) in the Illustration, the brackets and letter "(a)" at the commencement shall be omitted.
- (iv) In the third paragraph of section 222 and the fourth paragraph of section 225, the words, "or to" occurring after the words "imprisonment for life" shall be omitted.
- 1881 26 The Negotiable Instruments Act, 1881. In section 11, for the words "a State" in both places where they occur, the word "India" shall be substituted.
- 1898 5 The Code of Criminal Procedure, 1898.
- (i) In sub-section (3) of section 10, the figures, word and brackets "407, sub-section (2)" shall be omitted.
- (ii) In sub-section (3) of section 106, the words and figures "including a Court hearing appeals under section 407" shall be omitted.
- (iii) In sub-section (12) of section 251A, after the words "pass sentence upon", the word "him" shall be inserted.
- (iv) In sub-section (2) of section 339 A, the words "with the aid of the assessors" shall be omitted.
- (v) In the table in sub-section (1) of section 345, under the second column, the figures "490" and "492" occurring against the entry "Criminal breach of contract of service" shall be omitted.
- (vi) In the proviso to sub-section (6) of section 401, the words "or whipping" shall be omitted.
- (vii) In sub-section (1) of section 487 for the words and figures "sections 480 and 485", the words, figures and letter "sections 480, 485 and 485A", shall be omitted.
- (viii) Sub-section (3) of section 491 shall be substituted.
- (ix) In Schedule II, in the entry relating to section 165, in column 7, for the words and figure "Simple imprisonment for 2 years", the words and figure "Imprisonment of either description for 3 years" shall be substituted.



Year	No.	Short title	Amendments
1	2	3	4
<i>Central Acts—contd.</i>			
1912	4	The Indian Lunacy Act, 1912.	In section 98, for the words "In the exercise of jurisdiction conferred by Government or the Central Government or the Crown Representative or by the law of Burma", the words "established or continued by the Central Government" shall be substituted.
1923	8	The Workmen's Compensation Act, 1923.	In sub-section (1) of section 35, the word "or" occurring after the word "compensation" shall be omitted.
1936	3	The Parsi Marriage and Divorce Act, 1936.	In section 51, for the words "that section", the words "that article" shall be substituted.
1948	12	The Rehabilitation Finance Administration Act, 1948.	In sub-section (2) of section 13, the words "or a State" shall be omitted.
1948	16	The Dentists Act, 1948.	In clause (a) of sub-section (2) of section 34, for the figures "1954," the figures "1955" shall be substituted.
1949	46	The Banking Companies (Legal Practitioners' Clients' Accounts) Act, 1949.	In clause (a) of section 2, for the words "Imperial Bank of India", the words "State Bank of India" shall be substituted.
1951	3	The Part B States (Laws) Act, 1951.	In the Schedule— (i) the direction relating to section 75B of the Negotiable Instruments Act, 1881, shall be omitted; (ii) the entries relating to the Protective Duties Act, 1946, shall be omitted.
1951	65	The Industries (Development and Regulation) Act, 1951.	In sub-section (4) of section 18B, for the figures "18", the figures and letter "18A" shall be substituted.
1952	36	The Indian Standards Institution (Certification Marks) Act, 1952.	In sub-section (1) of section 10, the words "by or" shall be omitted.
1952	37	The Cinematograph Act, 1952.	In section 6, at the end of clause (b), the word "or" shall be inserted.
1953	34	The Estate Duty Act, 1953.	In sub-section (4) of section 19, for the figure "16", the figure "17" shall be substituted.
1953	45	The Coir Industry Act, 1953.	In sub-section (1) of section 11, the words "or fails to act" shall be omitted.
1955	26	The Code of Criminal Procedure (Amendment) Act, 1955.	(i) Section 74 shall be omitted.

Year	No.	Short title	Amendments
1	2	3	4
<i>Central Acts—contd.</i>			
			(ii) For clause (b) of section 115, the following shall be substituted, namely :— “(b) in Form XXXIII, the words “ASSESSOR OR” in the heading shall be omitted; and for the words and brackets “an Assessor (or a Juror)”, the words “a juror” shall be substituted;”
			(iii) In the Schedule, under the heading “C. AMBNDMENT TO THE INDIAN LIMITATION ACT, 1908”, for the word “Third”, the word “Second” shall be substituted.
1956	1	The Companies Act, 1956.	(i) In section 258, the brackets and figure “(1)” occurring before the words “Subject to the provisions of” shall be omitted.  (ii) In section 605— (a) before the words “No person shall issue”, the brackets and figure “(1)” shall be inserted; (b) In sub-section (2), for the word “contractor” the word “contract” shall be substituted.
1956	28	The Agricultural Produce (Development and Warehousing) Corporations Act, 1956.	(i) In sub-section (2) of section 40, for the word and figures “the Indian Companies Act, 1913”, the words and figures “the Companies Act, 1956” shall be substituted.  (ii) In sub-section (2) of section 42, for the words, brackets and figures “under sub-section (1) of section 144, of the Indian Companies Act, 1913”, the words and figures “under section 226 of the Companies Act, 1956” shall be substituted.
1956	31	The Life Insurance Corporation Act, 1956.	In sub-section (2) of section 11, for the words “vested in it” the word “vested in the Corporation” shall be substituted.
1956	33	The Inter-State Water Disputes Act, 1956.	In section 8, for the figures “1955” the figures “1956” shall be substituted.
1956	35	The Indian Lac Cess (Amendment) Act, 1956.	In section 5, for the word and figure “section 4”, the word and figure “section 3” shall be substituted.
1956	61	The Khadi and Village Industries Commission Act, 1956.	In clause (a) of section 2, for the word and figure “section 9”, the word and figures “section 10” shall be substituted.

Year	No.	Short title	Amendments
1	2	3	4
<i>Central Acts—contd.</i>			
1956	62	The Jammu and Kashmir (Extension of Laws) Act, 1956.	<p>In the Schedule, in the directions relating to the Government Premises (Eviction) Act, 1950 (27 of 1950), the following amendments shall be made, and shall be deemed to have been made with effect on and from the 25th September, 1956, namely :—</p> <p>(i) for the words "Government premises" wherever they occur, the words "public premises" shall be substituted;</p> <p>(ii) In the direction relating to section 2—</p> <p>(a) the words "or land" wherever they occur, shall be omitted;</p> <p>(b) for the words "belonging to any municipality in Delhi or any land belonging to the Improvement Trust, Delhi, whether such land is in the possession of, or leased out by, the Improvement Trust", the words "vested in the Delhi Improvement Trust or a local authority in that territory, whether such premises are in the possession of, or have been leased out by, the Trust or local authority, as the case may be" shall be substituted.</p>

G. R. RAJAGOPAL,

*Addl. Secy. to the Govt. of India.*

### *CORRIGENDUM*

In the Gazette of India Extraordinary, Part II, Section 1, dated the 11th September, 1957 containing "The Finance (No. 2) Act, 1957",—

At page 323 in line 7 for "No. 26 of 1956" read No. 26 of 1957".